

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

CLARISSA K. WILLIAMS,

Plaintiff,

v.

CAUSE NO.: 2:21-CV-202-TLS

BRANDON WAKELEY and LLOYD

JEFFREY ELDRIDGE,

Defendants.

OPINION AND ORDER

This matter is before the Court on a Stipulation of Dismissal [ECF No. 54], filed on May 2, 2024. The parties represent that this lawsuit has been settled in its entirety, that they agree to dismiss the matter without prejudice, and that they agree the dismissal will automatically be converted to a dismissal with prejudice 75 days from the entry of the Court's order unless a party has moved to extend the date prior to the expiration of the 75 days. The stipulation also indicates that the Court would retain jurisdiction over the pending settlement approval.

It is the Court's practice not to conditionally dismiss without prejudice subject to a subsequent event resulting in a dismissal with prejudice because of the potential jurisdictional confusion that can arise. *See Ali v. City of Chicago*, 34 F.4th 594, 598 (7th Cir. 2022) ("We have often expressed concerns about dismissals with leave to reinstate and their potential to create jurisdictional confusion"); *Shapo v. Engle*, 463 F.3d 641, 644 (7th Cir. 2006) ("So here we have a concrete example of the confusion injected by the 'springing' type of judgment entered in this case. By making the final judgment contingent on future events, the judge created a situation in which it might be . . . uncertain when an appealable judgment was entered."); *see also Raymer v. Mollenhauer*, No. 3:10-CV-210, 2011 WL 338825, at *2 (N.D. Ind. Jan. 31, 2011).

Accordingly, the Court hereby STRIKES the Stipulation of Dismissal [ECF No. 54], VACATES all trial settings, and GRANTS the parties up to and including July 16, 2024, to file a stipulation of dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that does not require the Court to retain jurisdiction. If necessary, the parties may seek an extension of this deadline in order to finalize their settlement.

SO ORDERED on May 6, 2024.

s/ Theresa L. Springmann
JUDGE THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT